



Patent

Attorney Docket No: ANP-00114.P.5

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	, lac)
Pakula et al.	) ) Examiner: P. Ponnaluri	#1000
Application Number: 09/904,186	) Group Art Unit: 1627	9-18-02
Filed: July 12, 2001	)	7 1 3
For: SCREENING METHOD FOR IDENTIFYING LIGANDS FOR TARGET PROTEINS	) ) ) )	

Assistant Commissioner for Patents Washington D.C., 20231

Sir,

# POWER OF ATTORNEY FROM ASSIGNEE AND REVOCATION OF PRIOR POWERS

The undersigned, as a representative of the assignee of the above-identified patent application as shown by the attached

- [x] copy of the filing receipt
- [x] copy of the assignments from US Application Ser. No. 08/263,923, a parent application, which assigned all patents, divisions, reissues, continuations, and extensions of that application to assignee.
- [x] copy of the Notice of Recordation of Assignment Document for change of name from Scriptech Pharmaceuticals, Inc. To Scripgen Pharmaceuticals, Inc.
- [x] copy of the Notice of Recordation of Assignment Document for change of name from Scriptgen Pharmaceuticals, Inc. to Anadys Pharmaceuticals, Inc.

hereby revokes all previous powers and appoints David R. Preston & Associates, A.P.C., 12625 High Bluff Drive, Suite 205, San Diego, California 92130, telephone number 858.724.0375 and facsimile number 858.724.0384, <u>Customer Number 24232</u> (to whom all communications about this application are to be directed), and the below named persons (of the same address), collectively and individually our attorney and agent, to prosecute this patent application and to transact all business in the United States Patent and Trademark Office connected therewith and with the resulting patent:

David R. Preston Reg. No. 38,710 Elizabeth A. Orr Reg. No. 45,937 Thomas D. Foster Reg. No. 44,686

FOR ANADYS PHARMACEUTICALS, INC.

da Jurispous

8-28-02 Date

KLEANTHIS G. XANTHOPOULOS Name

PRESIDENT + CEO



### **COPY OF PAPERS** ORIGINALLY FILED

### United States Patent and Trademark Office

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/904,186	07/12/2001	1642	2184	0342/19045- US5	11	65	9

**CONFIRMATION NO. 2874 UPDATED FILING RECEIPT** 

OC000000007179918\*

DARBY & DARBY P.C. 805 Third Avenue New York, NY 10022

Date Mailed: 12/11/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Farts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt inc propriate another Filing Receipt inc propriate).

Applicant(s)

Andrew Pakula, Lexington, MA; James Bowie, Culver City, CA;

**Assignment For Published Patent Application** 

. Anadys Pharmaceuticals, Inc.;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 08/978,381 11/25/1997 ABN WHICH IS A CON OF 08/547,889 10/25/1995 ABN WHICH IS A CIP OF 08/263,923 06/21/1994 PAT 5,679,582 WHICH IS A CIP OF 08/080,829 06/21/1993 ABN

Foreign Applications

If Required, Foreign Filing License Granted 08/02/2001

Projected Publication Date: 03/21/2002

Non-Publication Request: No

Early Publication Request: No

Title

### Screening method for identifying ligands for target proteins

**Preliminary Class** 

435

# LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

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### ASSIGNMENT

I, James U. Bowie, a citizen of the United States of America, residing at 4243 Lebourget Avenue, Culver City, CA 90232

(hereafter called "ASSIGNOR") in consideration of the sum of One Dollar (\$1.00) or the equivalent thereof, and other good and valuable consideration paid to me by SCRIPTECH PHARMACEUTICALS, INC., a corporation organized and existing under the laws of the State of Delaware, located at 200 Boston Avenue, Suite 3000, Medford, MA 02155, (hereafter called the "ASSIGNEE"), do hereby sell and assign to the said ASSIGNEE, its successors and assigns, all of my right, title and interest, in and for the United States of America, in and to the following United States patent application:

U.S. Serial Nö.: 08/263,923 Filed: June 21, 1994

For: A SCREENING METHOD FOR IDENTIFYING LIGANDS FOR

TARGET PROTEINS

invented by and me and described in the application for United States Letters Patent therefor, and all United States Letters Patent which may be granted therefor, and all divisions, reissues, continuations, and extensions thereof, the said interest being my entire ownership interest in said Letters Patent when granted, to be held and enjoyed by said ASSIGNEE, its successors, assigns or other legal representatives, to the full end of the term of which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by said ASSIGNOR if this assignment and sale had not been made;

And ASSIGNOR hereby agrees to sign and execute any further documents or instruments which may be necessary, lawful, and proper in the prosecution of said above named application or in the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, or reissue applications or in any amendment, extension, or interference proceedings, or otherwise to secure the title thereto in said ASSIGNEE;

And the said ASSIGNOR hereby authorizes and requests that Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 8/22/94 (Date)

JAMES U. BOWIE, Inventor

### <u>ASSIGNMENT</u>

I, Andrew Pakula, a citizen of the United States of America, residing at 26 Normady Road, Lexington, MA 02173.

(hereafter called "ASSIGNORS") in consideration of the sum of One Dollar (\$1.00) or the equivalent thereof, and other good and valuable consideration paid to me by SCRIPTECH PHARMACEUTICAL, INC., a corporation organized and existing under the laws of the State of Delaware, located at 200 Boston Avenue, Suite 3000, Medford, MA 02155, (hereafter called the "ASSIGNEE"), do hereby sell and assign to the said ASSIGNEE, its successors and assigns, all of my right, title and interest, in and for the United States of America, in and to the following United States patent application:

> U.S. Serial No.: 08/263,923 Filed:

June 21, 1994

For:

A Screening Meethod For Identifying Ligands For Target

Proteins

invented by and me and described in the application for United States Letters Patent therefor, and all United States Letters Patent which may be granted therefor, and all divisions, reissues, continuations, and extensions thereof, the said interest being my entire ownership interest in said Letters Patent when granted, to be held and enjoyed by said ASSIGNEE, its successors, assigns or other legal representatives, to the full end of the term of which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by said ASSIGNOR if this assignment and sale had not been made;

And ASSIGNORS hereby agrees to sign and execute any further documents or instruments which may be necessary, lawful, and proper in the prosecution of said above named application or in the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, or reissue applications or in any amendment, extension, or interference proceedings, or otherwise to secure the title thereto in said ASSIGNEE;

And the said ASSIGNORS hereby authorizes and requests that Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

I declare under penalty of perjury that the foregoing is true and correct.

Andrew Pakula, Inventor



UNITED STATES PARTMENT OF COMMERCE Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MARCH 17, 1997

PTAS

DARBY & DARBY P.C. S. PETER LUDWIG, ESQ. 805 THIRD AVENUE, 27TH FLOOR NEW YORK, NEW YORK 10022-7513



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/05/1996

REEL/FRAME: 8297/0854

NUMBER OF PAGES: 3

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SCRIPTECH PHARMACEUTICALS, INC.

DOC DATE: 11/18/1994

ASSIGNEE:

SCRIPTGEN PHARMACEUTICALS, INC. 200 BOSTON AVENUE, SUITE 300 MEDFORD, MASSACHUSETTS 02155

SERIAL NUMBER: 08263923

PATENT NUMBER:

FILING DATE: 06/21/1994

ISSUE DATE:

SEDLEY PYNE, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trade k Office ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

NOVEMBER 20, 2000

PTAS

DARBY & DARBY P.C. S. PETER LUDWIG 805 THIRD AVENUE, 27TH FLOOR NEW YORK, NY 10022-7513



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/17/2000

REEL/FRAME: 011111/0228

NUMBER OF PAGES: 3

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SCRIPTGEN PHARMACEUTICALS, INC. DOC DATE: 06/27/2000

ASSIGNEE:

AMADMS PHARMACRUST CARS, TIC. 610 LINCOLN STREET

WALTHAM, MASSACHUSETTS 02451

SERIAL NUMBER: 08547889

FILING DATE: 10/25/1995

PATENT NUMBER:

PATENT NUMBER:

ISSUE DATE:

SERIAL NUMBER: 08978381 PATENT NUMBER:

FILING DATE: 11/25/1997

ISSUE DATE:

SERIAL NUMBER: 08709342

FILING DATE: 09/05/1996

ISSUE DATE:

SERIAL NUMBER: 08351659

FILING DATE: 12/07/1994

PATENT NUMBER: 6051373

ISSUE DATE: 04/19/2000

### .11/0228 PAGE 2

SERIAL NUMBER: 09501758

PATERT NUMBER:

FILING DATE: 09/06/1996 JERIAL NUMBER: 08709343 ISSUE DATE: 08/24/1999 PATENT NUMBER: 5942547 FILING DATE: 07/31/2000 SERIAL NUMBER: 09629809 ISSUE DATE: PATENT NUMBER: FILING DATE: 03/21/1997 SERIAL NUMBER: 08822323 ISSUE DATE: 11/16/1999 PATENT NUMBER: 5986111 FILING DATE: 01/02/1998 SERIAL NUMBER: 09002541 ISSUE DATE: 02/08/2000 PATENT NUMBER: 6022983 FILING DATE: 09/15/1999 SERIAL NUMBER: 09397765 ISSUE DATE: PATENT NUMBER: FILING DATE: 09/15/1999 SERIAL NUMBER: 09397764 ISSUE DATE: PATENT NUMBER: FILING DATE: 05/18/2000 SERIAL NUMBER: 09574134 ISSUE DATE: PATENT NUMBER: FILING DATE: 01/26/1999 SERIAL NUMBER: 09180827 ISSUE DATE: PATENT NUMBER: FILING DATE: 04/01/1996 SERIAL NUMBER: 08626309 ISSUE DATE: PATENT NUMBER: FILING DATE: 12/03/1998 SERIAL NUMBER: 09204841 ISSUE DATE: PATENT NUMBER: FILING DATE: 01/16/1998 SERIAL NUMBER: 09082920 ISSUE DATE: PARTITION TRIBERS FILING DATE: 03/05/1998 SERIAL NUMBER: 09060449 ISSUE DATE: PATENT NUMBER: FILING DATE: 09/15/1998 SERIAL NUMBER: 09153202 ISSUE DATE: PATENT NUMBER: FILING DATE: 09/23/1999 SERIAL NUMBER: 09404066 ISSUE DATE: PATENT NUMBER: FILING DATE: 02/02/2000 SERIAL NUMBER: 09496919 ISSUE DATE: PATENT NUMBER: FILING DATE: 10/06/1999 SERIAL NUMBER: 09413409 ISSUE DATE: PATENT NUMBER: FILING DATE: 10/06/1999 SERIAL NUMBER: 09413405 ISSUE DATE: PARMET HUMBER:

FILING DATE: 02/10/2000

ISSUE DATE:

### Á1111/0228 PAGE 3

SERIAL NUMBER: 09229703

PATENT NUMBER:

SERIAL NUMBER: 09314864

PATENT NUMBER:

· SERIAL NUMBER: 09495066

PATENT NUMBER:

• SERIAL NUMBER: 08263923

PATENT NUMBER: 5679582

SERIAL NUMBER: 08407945

PATENT NUMBER: 5585277

SERIAL NUMBER: 08308818

PATENT NUMBER: 5847077

SERIAL NUMBER: 08475883

PATENT NUMBER: 5668165

SERIAL NUMBER: 08915515

PATENT NUMBER: 6020488

SERIAL NUMBER: 09273964

PATENT NUMBER: 6140361

SERIAL NUMBER: 08713724

PATENT NUMBER: 5760063

SERIAL NUMBER: 09370535

PATENT NUMBER: 6127551

SERIAL NUMBER: 09370533

PATENT NUMBER: 6090953

SERIAL NUMBER: 08625377

PATENT NUMBER: 5863762

SERIAL NUMBER: 09138024

PATENT NUMBER: 6004779

FILING DATE: 01/13/1999

ISSUE DATE:

FILING DATE: 05/19/1999

ISSUE DATE:

FILING DATE: 01/31/2000

ISSUE DATE:

FILING DATE: 06/21/1994

ISSUE DATE: 10/21/1997

FILING DATE: 03/21/1995

ISSUE DATE: 12/17/1996

FILING DATE: 09/19/1994

ISSUE DATE: 12/03/1998

FILING DATE: 06/07/1995

ISSUE DATE: 09/16/1997

FILING DATE: 08/13/1997

ISSUE DATE: 02/01/2000

FILING DATE: 03/22/1999

ISSUE DATE: 10/31/2000

FILING DATE: 09/13/1996

ISSUE DATE: 06/02/1998

FILING DATE: 08/09/1999

ISSUE DATE: 10/03/2000

FILING DATE: 08/09/1999

TESUF DATE: 07/20/2000

FILING DATE: 04/01/1996

ISSUE DATE: 01/26/1999

FILING DATE: 08/21/1998

ISSUE DATE: 12/21/1999

SEDLEY PYNE, PARALEGAL ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

57 0 9 200 W

PRANSMITTAL 1	FORM	Application Number:	09/904,186	RECE	VED
(to be used for all correspon	dence after	Filing Date:	July 12, 2001	SEP 1 1	2002
initial filing)		First Named Inventor:	Pakula	IFOU OFNER	
		Group Art Unit:	1627	TECH CENTER	1600/2900
		Examiner:	P. Ponnaluri		
Total Pages in This 10 Submission:		Attomey Docket Number:	ANP-00114.	P.5	

ENCLOSURES (check all that apply)							
[X] Fee Transmittal Form	[ ] Assignment Papers (for an Application)	[ ] After Allowance Communication to Group					
[] Fee Attached	[] Drawing(s)	[] Appeal Communication to Board of Appeals and Interferences					
[] Amendment / Response	[] Licensing-related Papers	[ ] Appeal Communication to Group (Appeal, Notice, Brief, Reply Brief)					
[] After Final	[] Petition Routing Slip (PTO/SB/69) and Accompanying Petition	[] Proprietary Information					
[ ] Affidavits / Declarations(s)	[] Petition to Convert to a Provisional Application	[] Status Letter					
[] Extension of Time Requests	[ X] Power of Attorney and Revocation of Power of Attorney	[ ] Additional enclosures, identified below:					
[] Express Abandonment Request	[] Terminal Disclaimer	Postcard					
[] Information Disclosure Statement	[] Small Entity Statement	1 osicard					
[ ] Certified Copy of Priority Document(s)	[] Request for Refund						
[] Response to Missing Parts / Incomplete Application	Remarks:						
[] Response to Missing Parts under 37 C.F.R. 1.52 or 1.53							

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm or Individual Name	David R./Presson					
Signature	1 Reg 15. 38-710					
Date	Leaten 4, 2007					

_	CERTIFICATE OF MAILING		
, ,	orrespondence is being deposited with the United States s mail in an envelope addressed to: Assistant Commissioner D.C. 20231 on this date.	Date:	9/4
Typed or printed name:	Dayld R. Preston		
Signature	all sk	Date:	9/4/0-

# EN 1 3 MIN H

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FEE TRAN	SMITTAL	Cor	mplete if Known	SEP 1	1 2002
Patent fees are subject to annual These are the fees effective Of Small Entity payments must be	ctober 1, 1997.	Application Number:	09/904,186	TECH CENTE	R 1600/2900
statement, otherwise large entre Forms PTO/SB/09-12. See 37	Filing Date:	July 12, 2001			
10HB 1 10/3B/07-12. 3cc 3/	C.I.R. 33 1.27 and 1.20.	First Named Inventor:	Pakula		
	Group / Art Unit:	1627			
Total Amount of Payment	\$ 0.00	Docket Number:	ANP-00114.P.	5	

METHOD OF PAYMENT					
<ol> <li>[] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:         Deposit Account Number: []         Deposit Account Name: []         [X] Charge Any Additional Fee Required Under 37 C.F.R. §§ 1.16 and 1.17         [] Charge the Issue Fee Set in 37 C.F.R. § 1.18 at the Mailing of the Notice of Allowance.</li> </ol>					
2. [] Payment Enclosed [] Check [] Money Order [] Other					

### FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	790	201	395	Utility Filing Fee	\$
106	330	206	165	Design Filing Fee	\$
107	540	207	270	Plant Filing Fee	\$
108	790	208	395	Reissue Filing Fee	\$
114	150	214	75	Provisional Filing Fee	\$
		_		SUBTOTAL (1)	\$ 0.00

### 2. EXTRA CLAIM FEES

				Extra Claims		Fee From Below		Fee Paid
Total Claims	[]	-20 **	Equals	[]	Times	[]	Equals	\$
Independent Claims	[]	-3 **	Equals	[]	Times	[]	Equals	\$
Subtotal (2)								\$ 0.00

\*\* or number previously paid, if greater, For Reissues, see below

	Large Entity		Small Enti	ty				
Fee Code		Fee (\$)	Fee Code	Fee Code Fee		Fee Description		
	103	22	203	11	Claims in excess of 20			
	102	82	202	41	Independent claims in excess of 3			
	104	270	204	135	Multiple dependent claim, if not paid			
	109	82	209	41	** Reissue independent claims over original patent			
	110	22	210	11	** Reissue claims in excess of 20 and over original patent			

3.	ΑI	DD	IT	10	NA	L	FE	ES
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Large Entity		Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	
105	130	205	65	Surcharge - late filing fee or oath	s	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	s	
139	130	139	130	Non-English specification	s	
147	2,520	147	2,520	For filing a request for reexamination	S.	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	s	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	s	
115	110	215	55	Extension for reply within first month	s	
116	400	216	200	Extension for reply within second month	s	
117	950	217	475	Extension for reply within third month	s	
118	1,510	218	755	Extension for reply within fourth month	s	
128	2,060	228	1,030	Extension for reply within fifth month	s	
119	310	219	155	Notice of Appeal	s	
120	310	220	155	Filing a brief in support of an appeal	s	
121	270	221	135	Request for oral hearing	s	
138	1,510	138	1,510	Petition to institute a public use proceeding	s	
140	110	240	55	Petition or revive - unavoidable	s	
141	1,320	241	660	Petition or revive - unintentional	s	
142	1,320	242	660	Utility issue fee (or reissue)	s	
143	450	243	225	Design issue fee	\$	
144	670	244	335	Plant issue fee	\$	
122	130	122	130	Petitions to the Commissioner	s	
123	50	123	50	Petitions related to provisional applications	s	
126	240	126	240	Submission of Information Disclosure Statement	\$	
581	40	581	40	Recording each patent assignment per property	\$	
146	790	246	395	Filing a submission after final rejection (37 C.F.R. 1.129(a))	\$	
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	s	
Other fee (specify)					s	
* Reduced by Basic Filing Fee Paid				Subtotal (3)	\$ 0.00	

4. SUMMATION OF FEES						
SUBTOTAL (1)	\$ 0.00					
SUBTOTAL (2)	\$ 0.00					
SUBTOTAL (3)	\$ 0.00					
TOTAL FEES	\$ 0.00					

SUBMITTED BY	1	Complete (If Applicable)		
Typed or Printed Name	David R. Preston		Registration Number:	38,70
Signature	(D) 2h	Date: 9/4/02	Deposit Account User ID Number	501321